

## DEFINITIONS

**ALLEY:** A passage or way affording generally a secondary means of vehicular access to abutting properties, and not intended for general traffic circulation.

**BUFFER:** Buffer area shall include but will not be limited to planted vegetation, natural vegetation, or fence with concealing properties to a height of seven feet.

**BUILDING LINES:** A line or lines designating the land area beyond which a structure is not permitted. (Also known as a Set Back Line).

**CERTIFICATE OF ROAD MAINTENANCE ACCEPTANCE:**

A county instrument to record acceptance of maintenance responsibility for roads in previously dedicated and accepted rights-of-way.

**COMMERCIAL DEVELOPMENT** - See examples listed in Chapter VIII.

**COUNTY PLAN:** Any of the plans authorized by Act 422 of 1977 which have been recommended by the Benton County Planning Board, adopted by the Benton County Quorum Court and filed in the office of the Exofficio Recorder and Circuit Clerk, Benton County Courthouse. It includes but is not limited to the County Road Plan.

**CUL-DE-SAC:** A minor street having one end open to traffic and the other end terminated by a vehicular turn-around within the platted area.

**DEVELOPER:** A person, firm, or corporation engaged in the development of land; dividing, subdividing, or resubdividing of land into lots or parcels for the purpose of conveyance within the scope and application for these regulations.

**DEVELOPMENT OF LAND:** Includes but is not limited to providing access to lots and parcels, extending, or providing utilities except for agricultural purposes, subdividing land into lots and blocks, resulting in the need for access and public utilities service.

**EASEMENT:** A grant or sale by the owner of right or privilege

in the use of his land for general or specific purposes. Title and taxes are not transferred.

**ENGINEER:** A registered professional engineer as required by Arkansas State Law.

**FARM BUILDING AND STRUCTURES** - Buildings and structures located on a working farm parcel, as evident by farming income and use.

**FLOODPLAIN** - The 100 year floodplain defined by the Federal Flood Insurance Administration and all other areas known to be subject to seasonal or flash flooding.

**FRONTAGE ROAD:** A minor street located alongside a major street, giving access to abutting properties while providing connection to the major street at controlled intervals; includes frontage roads and streets but not alleys.

**HARD SURFACE** - Surfaces made from compatible materials such as SB-2, gravel, concrete or asphalt.

**HAZARDOUS MATERIALS** - Material that poses an unreasonable risk to health and safety of personal ( either employees or emergency responders ), the public, and/or the environment if not properly controlled during handling, storage, manufacture, processing, packaging, use, disposal, or transportation. (Defined by County Ordinance 90-31).

**IMPROVEMENTS**: Any man-made structure including but not limited to grading and street surfacing, curbs and gutters, sidewalks, crosswalks, culverts, bridges, water lines, storm sewers, sanitary sewers, utilities, and any other feature that may be a part of the development process.

**INDUSTRIAL DEVELOPMENT** - See examples listed in Chapter VIII.

**LAND SURVEYOR**: A licensed land surveyor as required by Arkansas State Law.

**LARGE SCALE DEVELOPMENT** - The general term used to refer to any proposed land-use change or construction of a building or structure that is required to have a permit pursuant to these codes.

**LOT**: Any land intended as a unit for the transfer of ownership or for development (also called parcel and tract).

**LOT, BACKING**: A lot having a frontage on two streets (double frontage) and the property owner is denied access to one of the streets.

**LOT, CORNER**: A lot with at least two adjacent sides which abut on a street or streets.

**LOT, DOUBLE FRONTAGE**: A lot fronting on two non-intersecting streets,

**LOT SPLIT**: A transfer or contract to transfer a part of any tract of land where said tract was shown as part of a platted subdivision being recorded in the office of the Ex-Officio Recorder and Circuit Clerk of Benton County.

**OFF-SITE NUISANCES** - Include dust, smoke, odors, noise, vibration, light, glare, heat, etc. that affects property other than that on which it originates.

**OPEN SPACE**: Lands dedicated by the developer for uses designated by the developer.

**PARKING, OFF-STREET**: An enclosed or open area not in the street, designated for vehicles.

**PLAT, INFORMAL**: Any division of a lot, tract, or parcel of land into three (3) or more lots or other division of land for the purpose of transferring of ownership to non-record titleholders or the development or extension of utilities, dedication of easements, or rights-of-way, where the parcels are not less than two (2) acres nor greater than four point nine nine (4.99) acres.

**PLAT, FINAL**: The final plat, map, or drawing and any accompanying plans or data that is submitted to the Planning Board for their approval of the proposed subdivision.

**PLAT, PRELIMINARY**: The initial plat, plan, map, or drawing on which the layout and design of a proposed subdivision is submitted to the Planning Board for approval.

**ROAD PLAN:** The official plan for roads in unincorporated areas of Benton County designating the general location, characteristics, and functions of current and future roads.

**SERVICE OFFICER:** The administrative officer properly designated to act on behalf of the Planning Board.

**SET BACK:** The area in which the construction or existence of all manmade structures is prohibited.

**SKETCH PLAN:** May be a free hand drawing, superimposed on a site map, or aerial photograph.

**STREETS:** Streets mentioned in these regulations will always refer to subdivision streets as opposed to anything that might be considered a part of the Benton County Road Plan.

**SUBDIVISION:** A division of a lot, tract, or parcel of land into three (3) or more lots or other division of land for the purpose of transferring ownership to a non-record titleholder or the development or extension of utilities, dedication of easements, or rights-of-way, whether immediate or future, including all changes in street or lot lines; provided, however, that tracts or lots in excess of five (5) acres are excluded from the subdivision regulation in their entirety; and, also provided, however, that where no new streets or easements of access are involved, the following shall not be included or governed as the term subdivision is defined in Benton County and may be processed as an informal plat subdivision.

The combination or recombination of portions of previously

platted lots where the total number of lots is not increased and the original lot areas are not decreased below minimum lot sizes as prescribed by applicable Benton County Subdivision Regulations; or,

The division of land into parcels of from two (2) acres to four point nine nine acres (4.99).

**SUBDIVISION, INFORMAL PLAT:** Any division of a lot, tract, or parcel of land into three (3) or more lots or other division of land for the purpose of transferring ownership to non-record titleholders or the development or extension of utilities, dedication of easements, rights-of-way, where the parcels are not less than two (2) acres nor greater than four point ninety nine (4.99) acres.

**SURVEY:** Field work that creates (or establishes), marks, and defines the boundaries of tracts of land. (Manual of Surveying Instructions 1973, US Department of the Interior, should be consulted).

**TRACT:** Real estate within Benton County lying outside municipal Boundaries which is not a part of any subdivision and is described by a metes and bounds description.

**TRACT SPLIT:** A division of a tract or parcel of land into two (2)

or more lots or parcels or other divisions for the purpose of transferring ownership to a non-record title holder.

UTILITIES - Includes water, sewage, electrical, natural gas, and refuse collection.